

RE HOUSE BILL NO. 68

January 21, 2010

While I agree that the Medical Marijuana Act passed by the voters in 2004 is seriously flawed and in need of a complete overhaul I have to say I don't think this bill adequately covers it. In fact it is so bad I don't know if it can be fixed and we should repeal the act altogether.

The media has said over and over that the voters overwhelmingly passed it but this is far from being accurate. Only 43% of registered voters actually voted for it. The other 57% either voted no or did not vote at all. I had considered running for a seat in this body and in talking with some of those in the district I live in some voted "no" and agree it should be repealed. Some voted "yes" but have told me they didn't expect it to become the huge disaster it turned out to be and it needs to be fixed. And yes, some said it's fine, leave it alone. But we can't do that.

If this legislature decides not to repeal the Act then the bill are discussing today needs serious amending.

- 1) Local governments (city and county) should be able to decide if they want them and should be able to ban them if they so desire.
- 2) All current cards will be null and void as of June 30, 2011 and those desiring to obtain a card will need to go through the process again and this time it should require the approval of not one, but two qualified physicians who agree that traditional pharmaceutical drugs are not sufficient to alleviate the problem.
- 3) Cards are only good for one year from date of issue. To renew cardholder must again see 2 physicians to determine if they still qualify.

- 4) Caregivers must be limited to no more than 10 "patients". Some of these "caregivers" are no more than legalized dealers looking to loot the system and legally grow their own recreational marijuana.
- 5) The cost of the cards needs to be set high enough to discourage those who don't really need it but are looking for a way to get high and not get "busted"
- 6) The registration fees for caregivers must be also set high and they must renew annually as well. They will also be subject to random inspections to insure they are not growing more plants than authorized and keep books to itemize their income and expenditures.
- 7) Another problem is quality control. How is a patient to know the quality of the drug they are buying? Any prescription I obtain comes with information as to what I'm buying, possible side effects, and the intended usage and dosage as directed by the prescribing physician.

In short, in the absence of doing away with the Medical Marijuana Act of 2004 completely, close all the loopholes so opportunists like Jason Christ cannot continue to operate. I've maintained all along that fixing the Act is going to be a legislative nightmare. Some things just cannot be fixed and need to be scrapped.

We need less access to illegal drugs (and the federal government says marijuana is illegal in spite of President Obama's impeachable offense of saying they won't enforce it).

Soon this body will take up debate of HB 185 dealing the "herbal incense". Rep Berry assured Rep Furey he'll offer an amendment to ensure passage of his bill would not affect the current medical marijuana law. Why? Pass HB 185 and at the same time repeal the current medical marijuana law and make Montana a safer place in which to live.

Thank you.

Respectfully submitted,

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